

**AMENDMENT TO H.R.**  
**OFFERED BY MR. GREENWOOD**

**(Amendment to Beneficiary Improvement and Protection Act  
of 2000)**

Insert at the appropriate place (in the provisions relating to the medicaid program) the following new section:

1 **SEC. \_\_\_\_.** **MORATORIUM ON CHANGES IN MEDICARE UPPER**  
2 **LIMITS FOR CURRENT PLAN AMENDMENTS.**

3 (a) MORATORIUM.—Notwithstanding any other pro-  
4 vision of the law, the Administrator of Health Care Fi-  
5 nancing Administration shall not to issue any proposed or  
6 final regulations that would modify the upper limits test  
7 applied to State Medicaid spending pursuant to sections  
8 447.272 and 447.321 of title 42, Code of Federal Regula-  
9 tions, with respect to plan amendments approved before  
10 the date of the enactment of this Act, except as otherwise  
11 specifically provided by Act of Congress.

12 (b) USE OF MEDICAID FUNDS FOR MEDICAID BENE-  
13 FICIARIES.—The Secretary of Health and Human Services  
14 shall develop, in consultation with States, methods that  
15 assure that Federal Medicaid funds are spent on Medicaid  
16 eligible services for Medicaid eligible beneficiaries. Not  
17 later than 1 year after the date of the enactment of this

- 1 Act, the Secretary shall submit to Congress a report on
- 2 the methods developed under this subsection.

For your information, section 1903(i)(17) (as amended by section 4724(a) of BBA) provides as follows:

1 (i) Payment under the preceding provisions of this  
2 section shall not be made—

3 (17) with respect to any amount expended for  
4 roads, bridges, stadiums, or any other item or serv-  
5 ice not covered under a State plan under this title;  
6 or